

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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SIMEON FERGUSON, by and through his
next friend, KARLENE GRANT

Plaintiff,

v.

08-cv-639 (SLT) (VVP)

INDYMAC BANK, F.S.B. and GLOBAL
FINANCIAL, INC.,

NOTICE OF MOTION

Defendants.

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PLEASE TAKE NOTICE, that upon the annexed affirmation of DONNA DOUGHERTY, ESQ., affirmed on September 16, 2009 together with the exhibits annexed thereto, including the accompanying Memorandum of Law, and upon all the pleadings and proceedings heretofore had herein, the undersigned will move this Court before the Honorable Viktor Pohorelsky, United States Magistrate Judge, at the United States Courthouse for the Eastern District of New York at 225 Cadman Plaza East, Brooklyn, New York 11201, on September 18, 2009 at 12:00 noon for an Order approving the settlement agreement between Plaintiff and Defendant Federal Deposit Insurance Corporation, and for such further or different relief as this Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to the consent of the parties in this action, answering papers, if any, must be served on the undersigned counsel by 5 p.m. on September 17, 2009.

Dated: Brooklyn, New York
September 16, 2009

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